

Statement of Work

REGION 8 GENERIC IA for TECHNICAL ASSISTANCE

(Technical Support for Upper Animas Site)

AUTHORITY

This interagency agreement (IA) is entered with the USACE under the statutory authorities vested in the President of the United States and delegated to EPA under CERCLA (PL 96-510) and SARA (PL 99-499) and Executive Order 12580, as amended.

PURPOSE

EPA Region 8 requires technical support and expertise necessary to conduct EPA-lead activities and oversee potentially responsible parties (PRPs) activities at the Upper Animas Site. The Scope of Work for this IA is limited to technical assistance only for the Upper Animas Site. The EPA-lead and PRP oversight activities will be conducted by USACE resources and their contractors.

SITE BACKGROUND

The Upper Animas (UA) Site is located in the Upper Animas River watershed above and around the Town of Silverton, San Juan County, Colorado. The Site includes several large mining districts that covers approximately 146 square miles where active mining occurred from 1871 to 1991. There are over 300 known mines in the watershed.

The UA River watershed has been studied extensively during the last 20+ years by a number of organizations and governmental entities including state and federal agencies as well as local environmental groups and responsible parties. Monitoring data collected by the various entities includes high quality data that will meet EPA's data quality requirements as well as an extensive body of data of a lesser quality that is still considered to be useful.

EPA committed in the 1990's to not pursue a National Priority List (NPL) designation for the Upper Animas Site, as long as the community based collaborative approach was making progress as demonstrated by water quality improvements in the Animas River. Despite the combined efforts of the Animas River Stakeholder Group (ARSG), Bureau of Land Management (BLM), the State and other stakeholders to address the water quality in the UA, sampling results in the Animas River since 2004 have shown an overall decline in water quality. As a result of this water quality trend, EPA considered several approaches and chose to prepare a targeted NPL designation for the Upper Cement Creek area – a sub-drainage of the UA river watershed. As EPA was finalizing a package for this proposed targeted listing in 2011, Sunnyside Gold Corporation (SGC), the local government, and ARSG vigorously opposed this proposal, and EPA agreed not to pursue this effort at that time.

EPA now believes that an NPL designation is necessary to address the deteriorating water quality conditions in the watershed. Consequently, EPA has re-directed its focus in the community towards changing the perspective about an NPL designation although the Site has not been nominated to the NPL.

EPA has conducted extensive water quality sampling in the Cement Creek and Lower Animas watershed during the last 4-6 years. Sampling has included water quality, sediment, flow, benthic organisms, fish inventory & tissue. In May 2015, EPA released a draft Baseline Ecological Risk Assessment (BERA) on Cement Creek and the Lower Animas River. EPA and BLM are planning additional sampling in 2015 on the Upper Animas River watershed above Silverton to the headwaters to characterize that portion of the watershed. EPA expects that additional sampling and remedial investigation work will be necessary in 2016 and 2017.

As a historic mining district, the Upper Animas River Watershed has many historical features from the mining era as well as potential archaeological artifacts due to usage by Native Americans for hunting and fishing in the San Juan Mountains prior to the commencement of mining in the 1870's. The San Juan Historical Society located in Silverton is very active in historic preservation activities throughout the County along with their museum in Silverton.

EPA is jointly working with both the Bureau of Land Management (BLM) and the Colorado Department of Public Health & Environment (CDPHE) on the conduct of the RI for both the fund-lead and PRP-lead RI/FS activities at the Site. Development of plans, review of reports and conduct of field investigations is a collaborative effort between the 3 agencies which could require compiling comments on draft documents from EPA, BLM & CDPHE.

Other governmental agencies with that are contributing significant resources and expertise to understanding and addressing the problems in the Upper Animas River watershed include USGS, and the Colorado Department of Remediation, Mining and Safety (DRMS) and to a lesser extent, USFS is also involved at the site.

In addition the various governmental agencies that have conducted sampling in the watershed, the Animas River Stakeholder Group (ARSG) has conducted extensive sampling in the watershed for 20 years and performed numerous remediation activities of mine waste areas under Section 319 of the Clean Water Act (CWA) and has an understanding of the water quality problems in the watershed.

SCOPE OF SERVICES

Omaha District will retain the primary responsibility for ensuring that the environmental data quality meets the QA requirements as defined in the Region 8 QMP. All environmental data generation work in this IA will be performed in accordance with the Quality Management Plan (QMP) for the EPA Region 8 Superfund Program and Omaha District (and its updates) approved by the Region 8 Quality Assurance Officer. The project period for the current R8 approved QMP is October 2014 to October 2019. A Quality Assurance Project Plan (QAPP) for each phase of work will be developed pursuant to EPA's Region 8 quality assurance requirements and approved by an EPA Delegated Approving Official (DAO). Since the Omaha District/EPA 8 QMP paragraph 8.3.2 allows teaming between two USACE districts, a "QMP Project Statement" will be signed by both the USACE Omaha and Sacramento districts committing to the terms of the QMP. The "QMP Project Statement" will define the roles, responsibilities and process for the two districts working together." This statement will be added to USACE's Project Management Plan (PMP) (to be developed) that will incorporate the QMP as part of the PMP.

This IA can be used to obtain the following services:

A. Field Work and Analytical Support

- a. Provide resources necessary to conduct field investigation activities. This activity may include site reconnaissance, environmental sample collection, document review, and proper disposal of investigation-derived wastes.
- b. Ensure that all environmental data collected or otherwise obtained meets EPA's quality assurance requirements.
- c. Coordinate with EPA on the selection of analytical services,
- d. Provide appropriate data validation services.
- e. Provide data management support services (including technical deliverables) that address the collection, processing, management, distribution, analysis and archival of data and information. The USACE will coordinate with EPA to ensure data is delivered in a format that complies with EPA's requirements.
- f. Develop or update the site conceptual site model.

B. Remedial Investigation/Feasibility Study (RI/FS)

- a. Conduct a preliminary review and identification of Federal/State Chemical and Location Specific Applicable Relevant and Appropriate Requirements (ARARs).
- b. Assist EPA with the conduct of human health and ecological risk assessment activities to determine whether site contaminants pose an actual or potential future risk to human health and the environment in the absence of any remedial action. EPA Region 8 has risk assessment contractors to prepare the risk assessments.
- c. Conduct a feasibility study to develop, screen, and evaluate cleanup alternatives that ensure the protection of human health and the environment and meet ARARs.
- d. Conduct laboratory bench-scale, pilot scale or field-scale treatability studies to fully develop and analyze remedial alternatives.
- e. Develop and deliver draft(s) and final remedial investigation and feasibility study reports and addenda.
- f. Assist EPA with meeting the requirements of Section 106 of the National Historic Preservation Act.

C. Oversight or Oversight Support

- a. Review implementation of work plans, sampling and analytical plans (SAP)/Quality assurance project plans (QAPPs) in the field.
- b. Observe sampling activities for compliance with settlement documents, and approved SAPs/QAPPs.
- c. Maintain a log of detailed observations at the site, including interactions with all parties, results of field tests and inspections, and observations about conformance with the project-specific plans and deviations from the approved plans.

- d. Review and provide comments to EPA on the adequacy of PRP deliverables (plans, reports, data packages, etc.)
- e. Prepare technical field oversight reports, which may include period reports and a final summary reports.
- f. Support EPA in the oversight of the treatability study activities conducted by PRPs including the review of the treatability study work plan and QAPP, overseeing treatability study activities, and review the draft and final treatability study report.
- g. Support EPA in the oversight of activities conducted by PRPs including but not limited to reviewing the RI or FS report, investigating remedial alternatives, and providing risk assessment support.

D. General Technical Support

- a. Provide support to EPA in the preparation of the Proposed Plan and the Record of Decision;
- b. Attend public meetings, briefings, public hearings.
- c. Attend technical meetings with PRPs.
- d. Prepare presentation materials or ad-hoc technical deliverables.
- e. Provide support to EPA for emergency response actions that may be required.

WORK ACTIVATION/AUTHORIZATION PROCESS

The generic (bulk funded) IAG will be executed between the EPA's OSRTI and the USACE Environmental & Munitions Center of Expertise (EM CX). EM CX will retain the bulk funding for the IAG, but does not have authority to obligate or expend any funds until EPA issues a task specific Work Authorization Form (WAF). The EPA project officer (PO) has the authority to execute a work authorization to USACE for activities within the scope of work of the generic IA. The EPA PO will use a WAF to describe, define, authorize, and activate the assignments. The WAF may indicate which USACE office is being requested to perform the assignment. The WAF will be submitted to the USACE EM CX for administrative and financial processing. The WAF will be assigned to the USACE performing district. The USACE performing district will ensure that all provisions of the scope of work are met and that funds expended are consistent with the WAF.